

FILED

FEB 28 2014

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY  
STATE OF MISSOURI

JUAN M. GILMER  
CIRCUIT CLERK, ST. LOUIS COUNTY

-VS-

JOBY AARON SCHRAIER  
4223 Summit Knoll Drive  
Saint Louis, MO 63129

RACE: White  
SEX: Male  
DOB: 06/28/1976  
HGT: 5'07"  
WGT: 145lbs.  
P.D.: Attorney General  
ORI Number: MO026015A

SSN: [REDACTED]  
OCN:  
CASE ID: 189334643  
RPT NO:  
CT. NO: 14SL-CR01671

**Aliases:**

Joby Schraier

**Defendant**

**CHARGES**

Count: 01 FINANCIAL EXPLOITATION OF THE ELDERLY OR DISABLED-CLASS B FELONY  
Count: 02 DECEPTIVE BUSINESS PRACTICE-CLASS D FELONY  
Count: 03 DECEPTIVE BUSINESS PRACTICE-CLASS D FELONY  
Count: 04 DECEPTIVE BUSINESS PRACTICE-CLASS D FELONY  
Count: 05 STEALING OVER \$500 BY DECEIT - CLASS C FELONY

**COMPLAINT**

State of Missouri )  
County of St. Louis ) SS

(HOLD FOR GRAND JURY)

Comes now the undersigned complainant, being duly sworn upon oath, and under penalties of perjury, and states that there is probable cause to believe that the above-named defendant committed the following crime(s):

**COUNT: 01 FINANCIAL EXPLOITATION OF THE ELDERLY OR DISABLED-CLASS B FELONY**

That Joby Schraier and Heather Schraier, acting together and with others, in violation of Section 570.145, RSMo, committed the class B felony of financial exploitation of the elderly punishable upon conviction under Section 558.011 RSMo, in that on or about July 14, 2011, in the County of St. Louis, State of Missouri, C.C. was sixty years of age or older and defendants, acting together and with others, made a false promise that they would provide a valid title to a 2001 Honda Civic, to induce C.C. to enter into an agreement by promising performance that the defendants do not intend to perform or knows will not be performed.

1988399.0

**COUNT: 02 DECEPTIVE BUSINESS PRACTICE-CLASS D FELONY**

That Joby Schraier and Heather Schraier, acting together and with others, in violation of Section 407.020.1 and 407.020.3, RSMo, committed the class D felony of unlawful merchandising practices, punishable upon conviction under Sections 558.011 and 560.011, RSMo, in that on or about August 20, 2011, in the County of St. Louis, State of Missouri, the defendants, acting together and with others, in connection with the sale of merchandise in trade and commerce, to-wit, a 2004 Pontiac Grand Am, willfully, knowingly, and with the intent to defraud, made the false promise to M.W. that defendants would give a valid title to M.W., a representation that was false or misleading as to defendants intention or ability to perform the promise; and defendants used the unfair practice of selling and delivering an automobile to M.W. without passing or transferring a valid title.

1904599.0

**COUNT: 03 DECEPTIVE BUSINESS PRACTICE-CLASS D FELONY**

That Joby Schraier and Heather Schraier, acting together and with others, in violation of Section 407.020.1 and 407.020.3, RSMo, committed the class D felony of unlawful merchandising practices, punishable upon conviction under Sections 558.011 and 560.011, RSMo, in that on or about July 13, 2011, in the County of St. Louis, State of Missouri, the defendants, acting together and with others, in connection with the sale of merchandise in trade and commerce, to-wit, a 1997 Infiniti Q45, willfully, knowingly, and with the intent to defraud, made the false promise to M.C. that defendants would give a valid title to M.C., a representation that was false or misleading as to defendants intention or ability to perform the promise; and defendants used the unfair practice of selling and delivering an automobile to M.C. without passing or transferring a valid title.

1904599.0

**COUNT: 04 DECEPTIVE BUSINESS PRACTICE-CLASS D FELONY**

That Joby Schraier and Heather Schraier, acting together and with others, in violation of Section 407.020.1 and 407.020.3, RSMo, committed the class D felony of unlawful merchandising practices, punishable upon conviction under Sections 558.011 and 560.011, RSMo, in that on or about July 14, 2011, in the County of St. Louis, State of Missouri, the defendants, acting together and with others, in connection with the sale of merchandise in trade and commerce, to-wit, a 2001 Honda Civic, willfully, knowingly, and with the intent to defraud, made the false promise to C.C. that defendants would give a valid title to C.C., a representation that was false or misleading as to defendants intention or ability to perform the promise; and defendants used the unfair practice of selling and delivering an automobile to C.C. without passing or transferring a valid title.

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**COUNT: 05 STEALING OVER \$500 BY DECEIT - CLASS C FELONY**

That Joby Schraier and Heather Schraier, acting together and with others, in violation of Section 570.030, RSMo, committed the class C felony of stealing by deceit, punishable upon conviction under Sections 558.011 and 560.011, RSMo, in that on or between November 22, 2010 and August 20, 2011, in the County of St. Louis, State of Missouri, the defendants, acting together and with others, appropriated U.S. currency of a value of at least five hundred dollars, which property was provided by M.W., M.C., D.H., B.G., C.S., and H.R., and defendants appropriated such property without the consent of the victims and with the purpose to deprive them thereof by deceit in that the defendants represented to the victims that in exchange for the U.S. currency, they would provide a valid title to a motor vehicle, which representations were false and not believed to be true by the defendants and the victims relied on the representations and were thereby induced to part with such property.

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The undersigned Prosecutor informs the Court on information and belief that the above offense(s) herein charged were committed.

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Assistant Prosecuting Attorney MBE

Date

Date: February 28, 2014

I, Tony Eierman, Attorney General's Office, knowing that false statements on this form are punishable by law, state that the facts contained herein are true. I have probable cause to believe that between November 22, 2010 and August 20, 2011, in St. Louis County, Joby Schraier, White, Male, DOB 06/28/1976, 5'07", 145lbs, committed one or more criminal offense(s).

Count: 01        FINANCIAL EXPLOITATION OF THE ELDERLY OR DISABLED-  
CLASS B FELONY

Count: 02        DECEPTIVE BUSINESS PRACTICE-CLASS D FELONY

Count: 03        DECEPTIVE BUSINESS PRACTICE-CLASS D FELONY

Count: 04        DECEPTIVE BUSINESS PRACTICE-CLASS D FELONY

Count: 05        STEALING OVER \$500 BY DECEIT - CLASS C FELONY

The facts supporting this belief are as follows: 1: From January 2010 until September 2011, defendants Joby and Heather Schraier were owners and did business from Auto Credit Mart's offices which were located at 9440 St. Charles rock Road in the county of St. Louis, Missouri.

2: During relevant period, M.W. purchased a 2004 Pontiac Grand Am with a \$400.00 down payment. M.W. was told by Auto Credit Mart's representative he would receive the vehicle title within one week of sale date. M.W. never received a valid title.

3: During the relevant period, M.C. purchased a 1997 Infiniti Q45 with an \$800.00 down payment. M.C. was told by Auto Credit Mart's representative she would receive the vehicle title within two weeks of the sale date. M.C. never received the vehicle title.

4: During the relevant period, D.H. purchased a 2002 Pontiac Grand Prix with a \$1,360 down payment. D.H. was told by Joby Schraier she would be able to pick up the vehicle title at a later date. D.H. never received a title or a refund.

5: During relevant period B.G. purchased a 1997 Chevy Tahoe with a \$350.00 down payment. B.G. was told by Joby Schraier his vehicle title would be available in two weeks. B.G. never received a valid title.

6: On or about July 14, 2011, C.C., DOB 3/13/1939, purchased a 2001 Honda Civic with a \$1500 down payment. C.C. was told by Auto Credit Mart's representative she would

receive the vehicle title within two weeks of the sale date. C.C. never received valid title.

7: During relevant period H.R. purchased a 1997 Sunfire with a \$600 down payment.

H.R. was told by Auto Credit Mart's representative that he would receive the vehicle title within two weeks of the sale date. H.R. never received valid title.

Tony Eierman, Attorney General's Office

[Signature] \_\_\_\_\_